

GOVERNMENT OF ANHRA PRADESH  
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Dharoor (Mandal) Chintha Revula (Village) – O.P.No.31/2000 & batch (28 O.Ps) - Sanction of decretal charges of **Rs.12,82,600/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 184

DATE:06.03.2009

Read:

From the Special Collector, LA, Bheema Project, MBNR, Lr.No.G/E/  
PJP/844/2008, dated:05.10.2008.

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O R D E R:

The Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.31/2000 & batch (28 O.Ps) pertaining to Chintha Revula (V) Dharoor (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal has acquired an extent of Ac.13.05 gts was acquired in the limits of Chintha Revula (V) Dharoor (M), Mahabubnagar District by fixing the market value @Rs.30,000/- and @Rs.24,000/- per acre for wet and dry lands through Award No.45/99, dt:15.07.99 for the purpose of Excavation of Tail Channel from KM.2.05. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions u/s18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments on 25.04.2005 to @Rs.87,500/- and enhancing the market value from Rs.30,000/- p.a and @Rs.24,000/- p.a for Wet and Dry lands to @Rs.87,500/- p.a and @Rs.80,000/- p.a in O.P.No.31/2000 & batch (28 O.Ps). Aggrieved with the market value enhanced by the Lower Court, the SDC, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad. The High Court of A.P has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, an amount of Rs.15,60,606/- was sanctioned and the same has been deposited in the Sr.Civil Judge Court, Gadwal on 10.03.2006. Finally, the Hon'ble High Court has disposed the appeals on 20.11.2006 filed by the SDC, Gadwal vide A.S.No.1266/05 and batch (28) with modification of the market value @Rs.87,500/- per acre fixed by the Lower Court for wet lands is confirmed. In so far as the dry lands are concerned, the market value awarded by the Lower Court @Rs.80,000/- per acre is reduced to @Rs.61,500/- per acre. In this case, the claimants have filed W.P before the Hon'ble H.C. of A.P, Hyd to deposit the balance decretal charges to the credit of E.P.No.163/2005 in O.P.No.31/2000 & batch on the file of the Sr.Civil Judge, Gadwal vide W.P.No.905/2008. The Hon'ble High Court of A.P, Hyd has disposed the W.P on 24.01.2008 in terms of order in W.P.No.18841/07, dt:12.11.2007. The claimants also filed C.C.No.1156/06 and which was came admission on 19.01.09.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.12,82,600/- (Rupees Twelve lakhs eighty two thousand and six hundred only)** in respect of O.P.No.31/2000 & batch (28 O.Ps) pertaining to Chintha Revula (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra

(Contd..P.2)

Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701- SMJH – 0 1- Major Irrigation – M.H.122 – Jurala Project G.H.11 NSP–SH (27) – Canals and Distributaries - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.716/F2(2)/2009-1, dated 03.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.28496/LA.III(A2)/2007

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER